

IFW  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 02-325-A (400/047) )



In the Application of: )  
Pavco et al. )  
Serial No.: 10/712,633 )  
Filing Date: November 13, 2003 )  
For: Nucleic Acid Based Modulation of Female )  
Reproductive Diseases and Conditions )  
Examiner: )  
Group Art Unit: 1635 )  
Confirmation No. 6362 )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**TRANSMITTAL LETTER**

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above identified new patent application:

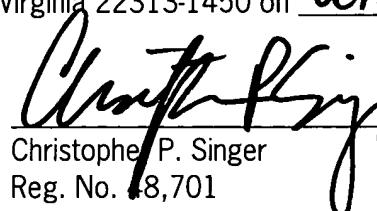
- Request for Corrected Filing Receipt;
- Copy of Filing Receipt, showing Requested Changes;
- Copy of Filed Assignment Document;
- Application Data Sheet; and
- Return Receipt Postcard.

2. With respect to additional fees, no additional fee is required.

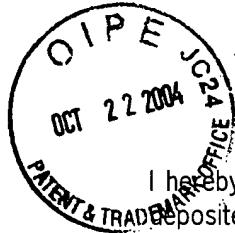
3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on OCT. 19, 2004.

By :

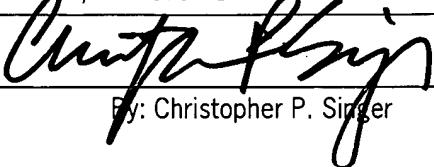
  
Christophe P. Singer  
Reg. No. 48,701

McDONNELL BOEHNEN HULBERT & BERGHOFF LLP  
300 SOUTH WACKER DRIVE  
CHICAGO, ILLINOIS 60606  
TELEPHONE (312) 913-0001  
FACSIMILE: (312) 913-0002



I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents P.O. Box 1450,  
Alexandria, VA 22313-1450 on: October 19, 2004



By: Christopher P. Singer

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

02-325-A (400.047US)

In re Application of:

Pavco et al.  
Serial No. 10/712,633  
Filing Date: November 13, 2003  
For Nucleic Acid Based Modulation of Female  
Reproductive Diseases and Conditions

Examiner	To Be Assigned
Group Art Unit No.	1635
Confirmation No.	6362

**REQUEST FOR CORRECTION OF FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Application Processing Division  
Customer Correction Branch

Sir:

Applicants request the issuance of a corrected filing receipt (amended copy enclosed) for the above-referenced patent application, and in support of this request respectfully state:

Under Assignment for Published Application:

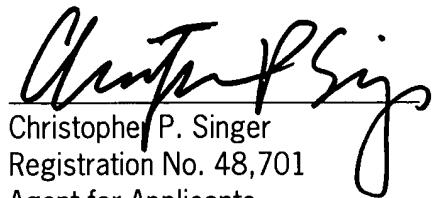
Please delete "Chiron Corporation, Emeryville, CA"

- Enclosed herewith is a copy of the Assignment document filed with the United States Patent and Trademark Office on March 26, 2004, indicating all rights assigned to sole assignee, Sirna Therapeutics, Inc.
- Also enclosed is an updated Patent Application Data sheet listing Sirna Therapeutics, Inc. as the sole Assignee.

The Commissioner is hereby authorized to charge any fees required to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

10/19/2004

  
Christopher P. Singer  
Registration No. 48,701  
Agent for Applicants

McDonnell Boehnen Hulbert & Berghoff LLP  
300 South Wacker  
Suite 3200  
Chicago, IL 60606  
(312) 913-0001



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 PO Box 11450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/712,633	11/13/2003	1635	835	MBHB02-325-A (400.047US)	11	17	1

020306  
 MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP  
 300 S. WACKER DRIVE  
 32ND FLOOR  
 CHICAGO, IL 60606

CONFIRMATION NO. 6362  
 UPDATED FILING RECEIPT



\*OC000000012381020\*

Date Mailed: 04/19/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Pamela Pavco, Lafayette, CO;  
 Jennifer Lockridge, Westminster, CO;  
 James McSwiggen, Boulder, CO;

## Assignment For Published Patent Application

Sirna Therapeutics, Inc., Boulder, CO;  
~~Chiron Corporation, Emeryville, CA~~ *← deleted*

## DOCKETED

APR 22 2004

DUE DATE: APR 21/13/04  
 BY: DRK

## Domestic Priority data as claimed by applicant

This application is a CON of PCT/US02/17674 05/29/2002  
 which claims benefit of 60/334,461 11/30/2001  
 and is a CIP of 10/138,674 05/03/2002  
 which is a CIP of 09/870,161 05/29/2001 ABN  
 which is a CIP of 09/708,690 11/07/2000 ABN  
 which is a CIP of 09/371,772 08/10/1999 PAT 6,566,127  
 which is a CIP of 08/584,040 01/11/1996 PAT 6,346,398  
 which claims benefit of 60/005,974 10/26/1995

## Foreign Applications

Projected Publication Date: To Be Determined - pending completion of Security Review

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

Nucleic acid based modulation of female reproductive diseases and conditions

**Preliminary Class**

514

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

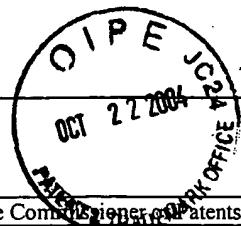
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Attorney Ref. No. 02-325-A (400.047US)

To The Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Pamela Pavco  
James McSwiggen  
Jennifer lockridge

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution Dates: February 26, 2004, and March 10 and 18, 2004

2. Name and address of receiving party(ies)

Name: Sirna Therapeutics, Inc.

Internal Address: \_\_\_\_\_

Street Address: 2950 Wilderness Place  
City: Country: Zip: Boulder, CO 80301

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

10/712,633

B. Patent No.(s)

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Anita J. Terpstra

Company Name: McDonnell, Boehnen, Hulbert & Berghoff LLP

Street Address: 300 South Wacker Drive, Suite 3200

City: Chicago State: IL ZIP: 60606

6. Total number of applications and patents involved: 1

7. Total Fee (37 CFR 3.41).....\$40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number: 13-2490

**DO NOT USE THIS SPACE**

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Anita J. Terpstra Reg. No. 47,132  
Printed Name of Person Signing

Signature

Date: March 26, 2004

Total number of pages including cover sheet, attachments, and document: 5

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

**ASSIGNMENT**

Case No.: MBHB02-325-A (400.047US)  
Inventors: Pavco, et al.

Serial No.: 10/712,633  
Filing Date: November 13, 2003

In consideration of One Dollar (\$1.00) and other good and valuable considerations in hand paid, the receipt and sufficiency whereof are hereby acknowledged, the undersigned hereby assign to:

**SIRNA THERAPEUTICS, INC.**  
**a corporation organized and existing under and by virtue of the**  
**laws of the State of Delaware and**  
**having its place of business at 2950 Wilderness Place, Boulder, Colorado 80301**

its successors and assigns, the entire right, title and interest in the invention or improvements of the undersigned disclosed in an application for Letters Patent of the United States, entitled:

**NUCLEIC ACID BASED MODULATION OF FEMALE REPRODUCTIVE  
DISEASES AND CONDITIONS**

and identified as:

**Case No. MBHB02-325-A (400.047US)**

in the offices of McDONNELL BOEHNEN HULBERT & BERGHOFF and in said application and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue or extension of such patents, and further assigns to said assignee the priority right provided by the International Convention.

The undersigned hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said assignee.

The undersigned hereby authorize and request the attorneys of record in said application to insert in this assignment the filing date and serial number of said application when officially known, and the date of execution of the application.

The undersigned warrant themselves to be the owners of the entire right, title and interest in said invention or improvements and to have the right to make this assignment, and further warrant that there are no outstanding prior assignments, licenses, or other encumbrances on the interest herein assigned.

For said considerations the undersigned hereby agree, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuation and substitute applications for said invention or improvements, and any necessary oath, affidavit or declaration relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application and any and all applications and other documents for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns may deem necessary or expedient, and for the said considerations the undersigned authorize said assignee to apply for patents for said

invention or improvements in its own name in such countries where such procedure is proper and further agree, upon the request of said assignee, its successors and assigns, to cooperate to the best of the ability of the undersigned with said assignee, its successors and assigns, in any proceedings or transactions involving such applications or patents, including the preparation and execution of preliminary statements, giving and producing evidence, and performing any and all other acts necessary to obtain, maintain and enforce said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in the assignee, its successors and assigns, whereby said Letters Patent will be held and enjoyed by the said assignee, its successors and assigns, to the full end of the term for which said Letters Patent will be granted, as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment had not been made.

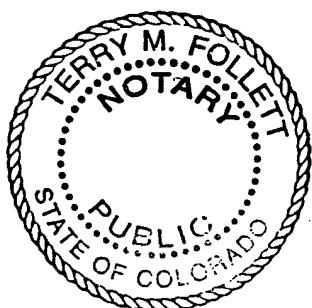
WITNESS my hand and seal this 26 day of Feb, 2004.

  
PAMELA PAVCO

State of COLORADO

County of Boulder

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of February, 2004, by  
**PAMELA PAVCO.**



  
Terry M. Follett  
NOTARY PUBLIC

My Commission Expires  
02/05/2006

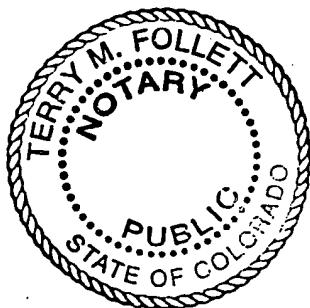
WITNESS my hand and seal this 10<sup>th</sup> day of March, 2004.

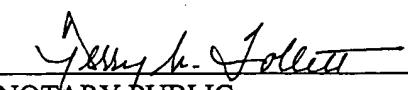
  
JAMES McSWIGGEN

State of COLORADO

County of BOULDER

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of MARCH, 2004, by  
**JAMES McSWIGGEN.**



  
Terry M. Follett  
NOTARY PUBLIC

My Commission Expires  
02/05/2006

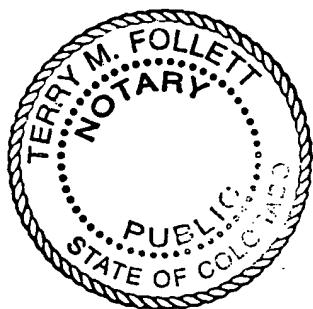
WITNESS my hand and seal this 18 day of March, 2004.

Jennifer Lockridge  
JENNIFER LOCKRIDGE

State of COLORADO

County of BOULDER

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of March, 2004, by  
**JENNIFER LOCKRIDGE.**



Terry M. Follett  
NOTARY PUBLIC

My Commission Expires  
02/05/2006



## Application Data Sheet

### Application Information

Application number::

Filing Date::

Application Type:: Regular

Subject Matter:: Utility

Suggested Classification::

Suggested Group Art Unit::

CD-Rom or CR-R?:: None

Number of CD disks:: None

Number of copies of CDs:: None

Sequence submission?:: yes

Computer Readable Form (CRF)?:: one

Number of copies of CRF:: two

Title:: NUCLEIC ACID BASED MODULATION OF FEMALE REPRODUCTIVE DISEASES AND CONDITIONS

Attorney Docket Number:: MBHB02-325-A (400.047US)

Request for Early Publication?:: No

Request for Non-Publication?:: No

Suggested Drawing Figure:: 11

Total Drawing Sheets:: 11

Small Entity?:: No

Petition Included?:: No

Petition Type::

Licensed US Govt. Agency::

Contract or Grant Numbers::

Secrecy Order in Parent Appl.?::

## **Applicant Information**

Applicant Authority type:: Inventor  
Primary Citizenship Country:: US  
Status:: Full Capacity  
Given Name:: Pamela  
Middle Name::  
Family Name:: Pavco  
Name Suffix::  
City of Residence:: Lafayette  
State or Province of Residence:: Colorado  
Country of Residence:: United States of America  
Street of mailing address:: 705 Barberry Circle  
City of mailing address:: Lafayette  
State or Providence of mailing address:: Colorado  
Postal or Zip Code of mailing address:: 80026

Applicant Authority type:: Inventor  
Primary Citizenship Country:: US  
Status:: Full Capacity  
Given Name:: Jennifer  
Middle Name::  
Family Name:: Sandburg  
Name Suffix::  
City of Residence:: Longmont  
State or Province of Residence:: Colorado  
Country of Residence:: United States of America  
Street of mailing address:: 620 Bluegrass Drive  
City of mailing address:: Longmont  
State or Providence of mailing address:: Colorado  
Postal or Zip Code of mailing address:: 80503

Applicant Authority type:: Inventor  
Primary Citizenship Country:: US  
Status:: Full Capacity  
Given Name:: James  
Middle Name::  
Family Name:: McSwiggen  
Name Suffix::  
City of Residence:: Boulder  
State or Province of Residence:: Colorado  
Country of Residence:: United States of America  
Street of mailing address:: 4866 Franklin Drive  
City of mailing address:: Boulder  
State or Providence of mailing address:: Colorado  
Postal or Zip Code of mailing address:: 80301  
Applicant Authority type:: Inventor  
Primary Citizenship Country:: US  
Status:: Full Capacity

### **Correspondence Information**

Correspondence Customer Number:: 020306  
Phone Number:: (312) 913-0001  
Fax Number:: (312) 913-0002  
E-Mail Address:: docketing@mbhb.com

### **Representative Information**

Representative Customer Number::	020306
----------------------------------	--------

## Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This application	Continuation of	PCT/US02/17674	05/29/02
PCT/US02/17674	An application claiming the benefit under 35 USC 119(e)	60/334,461	11/30/01
PCT/US02/17674	Is a continuation-in-part of	10/138,674	05/03/02
10/138,674	Is a continuation-in-part of	09/870,161	05/29/01
09/870,161	Is a continuation-in-part of	09/708,690	11/07/00
09/708,690	Is a continuation-in-part of	09/371,722	08/10/99
09/371,772	Is a continuation-in-part of	08/584,040	01/11/96
08/584,040	An application claiming the benefit under 35 USC 119(e)	60/005,974	10/26/95

## Assignee Information

Assignee Name:: Sirna Therapeutics, Inc.

Street of mailing address:: 2950 Wilderness Place

City of mailing address:: Boulder

State or Province of mailing address:: Colorado

Country of mailing address:: USA

Postal or Zip Code of mailing address:: 80301